

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Robert Deshawn Thomas**

**Docket No. 5:97-CR-185-1H**

**Petition for Action on Supervised Release**

COMES NOW Peter J. Yalango, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Robert Deshawn Thomas, who, upon an earlier plea of guilty to 21 U.S.C. §846, Conspiracy to Distribute and Possess with Intent to Distribute Cocaine Base, 18 U.S.C. §2113(a)(d), Armed Bank Robbery, and 18 U.S.C. §924, Use of a Firearm During and in Relation to a Crime of Violence, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on October 14, 1998, to the custody of the Bureau of Prisons for a term of 120 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years. The term of imprisonment was modified by Your Honor to 84 months on June 2, 1999.

Robert Deshawn Thomas was released from custody on August 19, 2013, at which time the term of supervised release commenced.

On May 12, 2014, a Violation Report was submitted to the Court stating that the defendant submitted a urinalysis sample which tested positive for marijuana on May 7, 2014. The defendant was verbally reprimanded and it was recommended that no further action be taken. Your Honor agreed with this recommendation on May 13, 2014.

On July 30, 2014, a Petition for Action on Supervised Release was submitted to the Court stating that the defendant submitted a urinalysis sample which tested positive for marijuana on July 29, 2014. It was recommended that the defendant's conditions of supervised release be modified to confine the defendant to the Bureau of Prisons for a period of 3 days. Your Honor agreed with this recommendation and the defendant's conditions of supervised release were modified on July 31, 2014. The defendant served this term of imprisonment without incident.

On August 31, 2015, a Petition for Action on Supervised Release was submitted to the Court stating that the defendant submitted a urinalysis sample which tested positive for marijuana on July 8, 2015. It was recommended that the defendant's conditions of supervised release be modified to confine the defendant to the Bureau of Prisons for a period of 3 days. Your Honor agreed with this recommendation and the defendant's conditions of supervised release were modified on September 1, 2015. The defendant served this term of imprisonment without incident.

On February 22, 2016, a Petition for Action on Supervised Release was submitted to the Court stating that the defendant submitted a urinalysis sample which tested positive for marijuana on February 11, 2016. It was recommended that the defendant's conditions of supervised release be modified to confine the defendant to the Bureau of Prisons for a period of 5 days. Your Honor agreed with this recommendation and the defendant's conditions of supervised release were modified on February 23, 2016. The defendant served this term of imprisonment without incident.

On April 25, 2016, a Violation Report was submitted to the Court stating that the defendant submitted a urinalysis sample which tested positive for marijuana on April 13, 2016. It was recommended that no further action be taken due to the fact that the defendant had not yet served his 5 day term of imprisonment for his previous positive urinalysis test. Your Honor agreed with this recommendation on April 25, 2016.

Robert Deshawn Thomas  
Docket No. 5:97-CR-185-1H  
Petition For Action

Page 2

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS  
FOLLOWS:**

The defendant admitted to using marijuana on January 21, 2018. The defendant stated that he has been experiencing mental health and substance abuse difficulties and is requesting mental health and substance abuse counseling with Integrated Behavioral Healthcare Services to address these issues.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Eddie J. Smith  
Eddie J. Smith  
Supervising U.S. Probation Officer

/s/ Peter J. Yalango  
Peter J. Yalango  
U.S. Probation Officer  
150 Rowan Street Suite 110  
Fayetteville, NC 28301  
Phone: 910-354-2546  
Executed On: January 23, 2018

**ORDER OF THE COURT**

Considered and ordered this 24th day of January 2018, and ordered filed and made a part of the records in the above case.

Malcolm J. Howard  
Malcolm J. Howard  
Senior U.S. District Judge